

INTERNATIONAL SEARCH REPORT

International Application No

PCT/US 99/18672

A. CLASSIFICATION OF SUBJECT MATTER
IPC 7 D06N7/00 C08K13/02

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
IPC 7 D06N C08K

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

C. DOCUMENTS CONSIDERED TO BE RELEVANT

| Category * | Citation of document, with indication, where appropriate, of the relevant passages | Relevant to claim No. |
|------------|--|----------------------------------|
| X | <p>DATABASE WPI Section Ch, Week 198510 Derwent Publications Ltd., London, GB; Class A81, AN 1985-059878 XP002127669 & JP 60 017174 A (JAPAN SYNTHETIC RUBBER CO LTD), 29 January 1985 (1985-01-29) abstract</p> | <p>1-3, 11-13, 19-21</p> |
| Y | | 25-27 |
| X | <p>DE 32 15 890 A (BASSERMANN & CO) 3 November 1983 (1983-11-03) page 11, line 19 - line 26; claims; examples</p> | <p>6-9, 15-18 25-27</p> |
| Y | | |

☒ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

* Special categories of cited documents :

- "A" document defining the general state of the art which is not considered to be of particular relevance
- "E" earlier document but published on or after the international filing date
- "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- "O" document referring to an oral disclosure, use, exhibition or other means
- "P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

"&" document member of the same patent family

Date of the actual completion of the international search

18 January 2000

Date of mailing of the international search report

25/01/2000

Name and mailing address of the ISA

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NL - 2280 HV Rijswijk
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Fax: (+31-70) 340-3016

Authorized officer

Pamies Olle, S

INTERNATIONAL SEARCH REPORT

International Application No

PCT/US 99/18672

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

| Category * | Citation of document, with indication, where appropriate, of the relevant passages | Relevant to claim No. |
|------------|---|-----------------------|
| X | <p>DATABASE WPI Section Ch, Week 199628 Derwent Publications Ltd., London, GB; Class A12, AN 1996-275882 *XP002127670 & RU 2 047 626 C (RESOURCES ECONOMY PROBLEMS INST), 10 November 1995 (1995-11-10) abstract</p> | 1,2,11, 12 |
| A | <p>----- DE 19 57 159 A (FEIT, LEO) 27 May 1971 (1971-05-27) page 1, line 1 -page 2, line 5; claim 1; example 19</p> | 4,5,14 |
| X | <p>----- DE 19 57 159 A (FEIT, LEO) 27 May 1971 (1971-05-27) page 1, line 1 -page 2, line 5; claim 1; example 19</p> | 1,11 |
| A | <p>----- DATABASE WPI Section Ch, Week 198722 Derwent Publications Ltd., London, GB; Class A18, AN 1987-153590 *XP002127671 & JP 62 090376 A (JAPAN SYNTHETIC RUBBER CO LTD), 24 April 1987 (1987-04-24) abstract</p> | 3,4,13, 14 |
| A | <p>----- DATABASE WPI Section Ch, Week 198722 Derwent Publications Ltd., London, GB; Class A18, AN 1987-153590 *XP002127671 & JP 62 090376 A (JAPAN SYNTHETIC RUBBER CO LTD), 24 April 1987 (1987-04-24) abstract</p> | 1,11,19 |
| A | <p>----- WO 97 00995 A (MINNESOTA MINING & MFG) 9 January 1997 (1997-01-09) page 2, line 1 - line 19 page 9, line 3 -page 10, line 15</p> | 6,15,25 |
| A | <p>----- US 4 643 930 A (UCCI POMPELIO A) 17 February 1987 (1987-02-17) cited in the application column 3, paragraph 1; claims</p> | 1,11 |
| A | <p>----- US 4 619 853 A (BLYTH RANDOLPH C ET AL) 28 October 1986 (1986-10-28) cited in the application column 2, line 55 - line 66; claims</p> | 1,11 |

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/US 99/18672

| Patent document cited in search report | Publication date | Patent family member(s) | Publication date |
|---|---------------------|----------------------------|---------------------|
| JP 60017174 A | 29-01-1985 | NONE | |
| DE 3215890 A | 03-11-1983 | NONE | |
| RU 2047626 C | 10-11-1995 | NONE | |
| DE 1957159 A | 27-05-1971 | NL 6917439 A | 24-05-1971 |
| JP 62090376 A | 24-04-1987 | JP 1830847 C | 15-03-1994 |
| WO 9700995 A | 09-01-1997 | US 5888290 A | 30-03-1999 |
| | | AU 704867 B | 06-05-1999 |
| | | AU 5964596 A | 22-01-1997 |
| | | CA 2225526 A | 09-01-1997 |
| | | EP 0837963 A | 29-04-1998 |
| | | JP 11509585 T | 24-08-1999 |
| US 4643930 A | 17-02-1987 | NONE | |
| US 4619853 A | 28-10-1986 | NONE | |

PATENT COOPERATION TREATY

PCT

NOTIFICATION OF ELECTION

(PCT Rule 61.2)

From the INTERNATIONAL BUREAU

To:

Assistant Commissioner for Patents
United States Patent and Trademark
Office
Box PCT
Washington, D.C. 20231
ETATS-UNIS D'AMERIQUE

in its capacity as elected Office

| | |
|--|--|
| Date of mailing (day/month/year) 06 April 2000 (06.04.00) | Applicant's or agent's file reference 44278 |
| International application No. PCT/US99/18672 | Priority date (day/month/year) 17 August 1998 (17.08.98) |
| International filing date (day/month/year) 17 August 1999 (17.08.99) | |
| Applicant TABOR, Rick, L. et al | |

1. The designated Office is hereby notified of its election made:

☒ in the demand filed with the International Preliminary Examining Authority on:
01 March 2000 (01.03.00)

☐ in a notice effecting later election filed with the International Bureau on:

2. The election ☒ was
☐ was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

| | |
|--|---|
| <p>The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland</p> <p>Facsimile No.: (41-22) 740.14.35</p> | <p>Authorized officer</p> <p>Antonia Muller</p> <p>Telephone No.: (41-22) 338.83.38</p> |
|--|---|

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

| | | |
|---|---|--|
| Applicant's or agent's file reference 44278 | FOR FURTHER ACTION see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below. | |
| International application No. PCT/US 99/18672 | International filing date (day/month/year) 17/08/1999 | (Earliest) Priority Date (day/month/year) 17/08/1998 |
| Applicant THE DOW CHEMICAL COMPANY et al. | | |

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 3 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

- a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

- b. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international search was carried out on the basis of the sequence listing :

☐ contained in the international application in written form.

☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority in written form.

☐ furnished subsequently to this Authority in computer readable form.

☐ the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

☐ the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2. ☐ **Certain claims were found unsearchable** (See Box I).

3. ☐ **Unity of invention is lacking** (see Box II).

4. With regard to the **title**,

☒ the text is approved as submitted by the applicant.

☐ the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,

☒ the text is approved as submitted by the applicant.

☐ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the **drawings** to be published with the abstract is Figure No.

☐ as suggested by the applicant.

☐ because the applicant failed to suggest a figure.

☐ because this figure better characterizes the invention.

☒ None of the figures.

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B. FIELDS SEARCHED

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| Y | abstract | 25-27 |
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| | --- -/-- | |



Further documents are listed in the continuation of box C.



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"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

"&" document member of the same patent family

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18 January 2000

Date of mailing of the international search report

25/01/2000

Name and mailing address of the ISA

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INTERNATIONAL SEARCH REPORT

International Application No.

PCT/US 99/18672

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

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| X | <p>DATABASE WPI Section Ch, Week 199628 Derwent Publications Ltd., London, GB; Class A12, AN 1996-275882 XP002127670 & RU 2 047 626 C (RESOURCES ECONOMY PROBLEMS INST), 10 November 1995 (1995-11-10)</p> | 1,2,11, 12 |
| A | <p>abstract</p> <p>---</p> | 4,5,14 |
| X | <p>DE 19 57 159 A (FEIT, LEO) 27 May 1971 (1971-05-27)</p> | 1,11 |
| A | <p>page 1, line 1 -page 2, line 5; claim 1; example 19</p> <p>---</p> | 3,4,13, 14 |
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| A | <p>WO 97 00995 A (MINNESOTA MINING & MFG) 9 January 1997 (1997-01-09) page 2, line 1 - line 19 page 9, line 3 -page 10, line 15</p> <p>---</p> | 6,15,25 |
| A | <p>US 4 643 930 A (UCCI POMPELIO A) 17 February 1987 (1987-02-17) cited in the application column 3, paragraph 1; claims</p> <p>---</p> | 1,11 |
| A | <p>US 4 619 853 A (BLYTH RANDOLPH C ET AL) 28 October 1986 (1986-10-28) cited in the application column 2, line 55 - line 66; claims</p> <p>-----</p> | 1,11 |

INTERNATIONAL SEARCH REPORT

ation on patent family members

International Application No

PCT/US 99/18672

| Patent document cited in search report | | Publication date | Patent family member(s) | Publication date |
|---|---|---------------------|----------------------------|---------------------|
| JP 60017174 | A | 29-01-1985 | NONE | |
| DE 3215890 | A | 03-11-1983 | NONE | |
| RU 2047626 | C | 10-11-1995 | NONE | |
| DE 1957159 | A | 27-05-1971 | NL 6917439 A | 24-05-1971 |
| JP 62090376 | A | 24-04-1987 | JP 1830847 C | 15-03-1994 |
| WO 9700995 | A | 09-01-1997 | US 5888290 A | 30-03-1999 |
| | | | AU 704867 B | 06-05-1999 |
| | | | AU 5964596 A | 22-01-1997 |
| | | | CA 2225526 A | 09-01-1997 |
| | | | EP 0837963 A | 29-04-1998 |
| | | | JP 11509585 T | 24-08-1999 |
| US 4643930 | A | 17-02-1987 | NONE | |
| US 4619853 | A | 28-10-1986 | NONE | |

PATENT COOPERATION TREATY

PCT

REC'D 13 DEC 2000

WIPO PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

| | | |
|---|---|---|
| Applicant's or agent's file reference 44278 | FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416) | |
| International application No. PCT/US99/18672 | International filing date (day/month/year) 17/08/1999 | Priority date (day/month/year) 17/08/1998 |
| International Patent Classification (IPC) or national classification and IPC D06N7/00 | | |
| Applicant THE DOW CHEMICAL COMPANY et al. | | |

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.



2. This REPORT consists of a total of 7 sheets, including this cover sheet.

☒ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of 5 sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☒ Certain defects in the international application
- VIII ☒ Certain observations on the international application

| | |
|---|---|
| Date of submission of the demand 01/03/2000 | Date of completion of this report 11.12.2000 |
| Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465 | Authorized officer Semino, D Telephone No. +49 89 2399 7324  |

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. PCT/US99/18672

I. Basis of the report

1. This report has been drawn on the basis of *(substitute sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to the report since they do not contain amendments (Rules 70.16 and 70.17).):*

Description, pages:

1-39 as originally filed

Claims, No.:

1-24 as received on 10/11/2000 with letter of 08/11/2000

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
☐ the language of publication of the international application (under Rule 48.3(b)).
☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority in written form.
☐ furnished subsequently to this Authority in computer readable form.
☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
☐ the claims, Nos.:
☐ the drawings, sheets:

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. PCT/US99/18672

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

| | | | |
|-------------------------------|------|--------|------|
| Novelty (N) | Yes: | Claims | 1-24 |
| | No: | Claims | |
| Inventive step (IS) | Yes: | Claims | |
| | No: | Claims | 1-24 |
| Industrial applicability (IA) | Yes: | Claims | 1-24 |
| | No: | Claims | |

2. Citations and explanations
see separate sheet

VII. Certain defects in the international application

The following defects in the form or contents of the international application have been noted:
see separate sheet

VIII. Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:
see separate sheet

Re Item V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Pertinence of the cited prior art

- 1.1 Document D1 (JP-A-60017174, WPI Abstract) relates to an adhesive composition to be used to impart soil and spill resistance to carpets consisting of a polymer latex (e.g. ethylene-vinyl acetate latex), a filler (e.g. calcium carbonate) and a water repellent (e.g. a rosin-based sizing agent) mixed together.
- 1.2 Document D2 (DE-A-3215890) discloses (cf. abstract and claim 1) a method of treating mineral fillers with hydrophobic compounds including carboxylic acids (cf. claims 3 and 4) and salts (cf. claim 7). The filler can be used in different fields including the production of adhesives (cf. p. 12, l. 3), since it is characterised by improved superficial properties including higher water resistance (cf. p. 12, l. 5-8). In example 4 a composition containing a treated filler according to the current application (containing soya fatty acid and calcium carbonate, cf. example 2) and a styrene-butyl acrylate dispersion is disclosed (cf. p. 16, l. 4-21).
- 1.3 Document D3 (DE-A-1957159) discloses (cf. p. 1, first par. and claim 1) means for rendering a latex dispersion watertight, once it has been dried, through the addition of hydrophobic compounds (e.g. calcium stearate and triethanolaminstearate). The composition can be used for adhesives (cf. p. 2, l. 11) in different fields. In example 19 a composition is disclosed including the hydrophobic compounds according to the current application (cf. examples 1-18), a vinyl acetate latex and calcium carbonate.
- 1.4 Document D4 (US-A-4619853, cf. col. 2, l. 35-66) and D5 (US-A-4643930, cf. col. 2, l. 55 to col. , l. 12) disclose adhesive compositions for carpet backings comprising a mixture of a latex (e.g. ethylene-vinyl acetate latex) and a filler (e.g. calcium carbonate), which further contains a fluorochemical in an amount sufficient to render the backing impervious.
- 1.5 Document D5 (RU-C-2047626, WPI Abstract) relates to a composition including a

polymeric latex, a fibrous organic filler and zinc stearate.

- 1.6 Document D6 (WO-A-9700995) discloses (cf. abstract and claim 1) fluorochemical treatment compositions to be used to impart durable water and oil repellency to a variety of substrates. Acid and salts of fluorochemical compounds can be blended in the composition (cf. p. 13, l. 29-20).

2. Conclusions

- 2.1 The composition of claim 1 differs from the composition disclosed in D1, which can be considered as the closest state of the art, for the fact that the aqueous dispersed polymeric material is a polyurethane dispersion.
The use of a polyurethane dispersion in place of a latex as disclosed in D1 lies within the common knowledge of the man skilled in the art as explicitly stated in the application (cf. e.g. p. 2, l. 2-7).
In other words the skilled man would know from D1 that the addition of an inorganic filler and a water repellent agent (e.g. a rosin-based sizing agent) to a polymeric dispersion suitable for preparing a carpet backing would confer to the carpet spill resistance properties and would choose a polyurethane dispersion as aqueous dispersed polymeric material as one of the known alternatives in the field without exercising an inventive step (Article 33(3) PCT).
- 2.2 Lack of inventive step (Article 33(3) PCT) of the composition of claim 1 can follow the same arguments as in paragraph 2.1 also starting from either D2 or D3 as the closest state of the art.
- 2.3 The kit of claim 9 and the method of claim 15 are not inventive (Article 33(3) PCT) for the same reasons as in paragraphs 2.1-2.2 *mutatis mutandis*.
- 2.4 Lack of inventive step (Article 33(3) PCT) of the composition of claim 5, the kit of claim 12 and the method of claim 20 follows the same arguments as in paragraph 2.1 starting from D2 as the closest state of the art.
- 2.5 Dependent claims 2-4, 6-8, 10-11, 13-14, 16-17, 21-22 do not contain any features which, in combination with the features of any claim to which they refer,

meet the requirements of the PCT in respect of inventive step, either because the additional features are already known from at least one of D1-D3 or because the choice of specific elements of the different classes of components is not accompanied by a surprising effect so as to justify the presence of an inventive step.

- 2.6 Claims 18 and 23 (and dependent claims therefrom) concern any carpet backing prepared according to the methods in claims 15 and 20 respectively. However, no carpet backing results from the methods in claim 15 and 20, which concern methods for preparing an aqueous polymeric composition. Moreover, even if the methods resulted in the preparation of a carpet backing, such a backing would merely correspond to the automatic protection as conferred in most states for instance by Art. 5^{quater} of the Paris Convention for the Protection of Industrial Property, or by Art. 64(2) EPC to the product that **directly** results from a claimed method. Further, the products as currently claimed lack the specification of those features which actually could confer novelty and inventive step to them over the available, known products. These claims are therefore unnecessary and should be cancelled.

Re Item VII

Certain defects in the international application

0. The following items of information are merely for the sake of expediency in case of any further regional examination before the EPO.
1. The expression 'hereby incorporated by reference' (p. 2, l. 19-20; p. 3, l. 1; p. 12, l. 6; p. 13, l. 21; p. 14, l. 2, 3, 5, 7, 10, 12, 14, 17, 19; p. 15, l. 1) is not in conformity with Rule 1(a)(ii) and (iii) (see also the PCT Guidelines, II-4.17). The expression should be cancelled, in so far the description should be sufficient *per se*.

Re Item VIII

Certain observations on the international application

1. Claim 5 (respectively 12) contains all the feature of claim 1 (respectively 9) and is therefore not appropriately formulated as a claim dependent on the latter (Rule

6.4 PCT).

Moreover, the subject-matter of independent claims 1 and 9 is not clearly distinguished rendering the claims as a whole unclear (Article 6 PCT).

Finally, the formulation of a single independent product claim out of claims 1, 5, 9 and 12 would render unnecessary the repetition of similar dependent claims, which makes the claims as a whole not concise (Article 6 PCT).

2. Component c. of the composition of claim 1 (and correspondent component of claims 5, 9, 12, 15, 20) is so broadly stated that it covers **any** acid with hydrophobic properties or **any** salt thereof, including e.g. acid and salts of fluorochemicals (see e.g. components disclosed in D6), which in the description are mentioned as leading to undesirable results (cf. p. 5, l. 5-11), resulting therefore in lack of clarity (Article 6 PCT).
3. Many of the example do not fall under the wording of the claims and should be therefore recognised as comparative examples.
Further, the fact that coatings which do not fall under the wording of the claims (example 13-18, in which it is not apparent whether an inorganic filler is present) pass the British spill test and that coatings which fulfill the requirements of the invention (example 4, cf. composition of the precoat) do not pass the test makes it completely unclear where the invention lies (Articles 5 and 6 PCT)
The applicants should state clearly which are the features essential to perform the invention and which is the technical effect provided by each of the them.
4. The vague and imprecise statement in the description on page 39 (cf. l. 1, 'spirit of the invention') implies that the subject-matter for which protection is sought may be different to that defined by the claims, thereby resulting in lack of clarity (Article 6 PCT) when used to interpret them (see also the PCT Guidelines, III-4.3a).

What is claimed is:

1. An aqueous dispersed polymeric composition for preparing a spill resistant carpet backing comprising:
 - a. an aqueous dispersed polymeric material being a polyurethane dispersion;
 - 5 b. an inorganic filler; and
 - c. a hydrophobic compound selected from the group consisting of a hydrophobic acid, a salt of a hydrophobic acid, and mixtures thereof.
2. The aqueous dispersed polymeric composition of Claim 1, wherein the inorganic filler is selected from the group consisting of calcium carbonate, calcium sulfate,
10 kaolin, lignite fly ash, silica, talc, feldspar, mica, glass spheres, wollastonite, aluminum trihydrate, aluminum oxide, fiber glass, and mixtures thereof.
3. The aqueous dispersed polymeric composition of Claim 1, wherein the hydrophobic compound is selected from the group consisting of butyric acid, hexanoic acid, octanoic acid, decanoic acid, dodecanoic acid, lauric acid, myristic acid, palmitic acid,
15 oleic acid, linoleic acid, stearic acid, linolenic acid, gum rosin, wood rosin, tall oil rosin, abietic acid, oxidized polyethylene containing carboxylic acid groups, ethylene-acrylic acid copolymers, ethylene-methacrylic acid copolymers, polyolefins grafted with unsaturated carboxylic acids, polyolefins grafted with anhydrides, methacrylic acid, maleic acid, fumaric acid, acrylic acid, and salts thereof.
- 20 4. ~~The aqueous dispersed polymeric composition of Claim 1, wherein the aqueous dispersed polymeric material is a polyurethane dispersion, the inorganic filler is calcium carbonate, and the hydrophobic salt is zinc stearate.~~
5. An aqueous dispersed polymeric composition for preparing a spill resistant carpet backing comprising:
 - 25 a. an aqueous dispersed polymeric material being a polyurethane dispersion; and

- b. a treated inorganic filler, having been treated with a hydrophobic compound selected from the group consisting of a hydrophobic acid, a salt of a hydrophobic acid, and mixtures thereof.
6. The aqueous dispersed polymeric composition of Claim 5, wherein the inorganic filler is selected from the group consisting of calcium carbonate, calcium sulfate, kaolin, lignite fly ash, silica, talc, feldspar, mica, glass spheres, wollastonite, aluminum trihydrate, aluminum oxide, fiber glass, and mixtures thereof.
7. The aqueous dispersed polymeric composition of Claim 5, wherein the hydrophobic compound is selected from the group consisting of butyric acid, hexanoic acid, octanoic acid, decanoic acid, dodecanoic acid, lauric acid, myristic acid, palmitic acid, oleic acid, linoleic acid, stearic acid, linolenic acid, gum rosin, wood rosin, tall oil rosin, abietic acid, oxidized polyethylene containing carboxylic acid groups, ethylene-acrylic acid copolymers, ethylene-methacrylic acid copolymers, polyolefins grafted with unsaturated carboxylic acids, polyolefins grafted with anhydrides, methacrylic acid, maleic acid, fumaric acid, acrylic acid, and salts thereof.
8. The aqueous dispersed polymeric composition of Claim 5, wherein the aqueous dispersed polymeric material is a polyurethane dispersion, the treated inorganic filler is stearic acid-treated calcium carbonate.
9. A kit for preparing a spill resistant carpet backing comprising:
- a. an aqueous dispersed polymeric material being a polyurethane dispersion;
- b. an inorganic filler; and
- c. a hydrophobic compound selected from the group consisting of a hydrophobic acid, a salt of a hydrophobic acid, and mixtures thereof.
10. The kit of Claim 9, wherein the inorganic filler is selected from the group consisting of calcium carbonate, calcium sulfate, kaolin, lignite fly ash, silica, talc, feldspar,

mica, glass spheres, wollastonite, aluminum trihydrate, aluminum oxide, fiber glass, and mixtures thereof.

11. The kit of Claim 9, wherein the hydrophobic compound is selected from the group consisting of butyric acid, hexanoic acid, octanoic acid, decanoic acid, dodecanoic acid, lauric acid, myristic acid, palmitic acid, oleic acid, linoleic acid, stearic acid, linolenic acid, gum rosin, wood rosin, tall oil rosin, abietic acid, oxidized polyethylene containing carboxylic acid groups, ethylene-acrylic acid copolymers, ethylene-methacrylic acid copolymers, polyolefins grafted with unsaturated carboxylic acids, polyolefins grafted with anhydrides, methacrylic acid, maleic acid, fumaric acid, acrylic acid, and salts thereof.
12. A kit for preparing a spill resistant carpet backing comprising:
- a. an aqueous dispersed polymeric material being a polyurethane dispersion; and
 - b. a treated inorganic filler, having been treated with a hydrophobic compound selected from the group consisting of a hydrophobic acid, a salt of a hydrophobic acid, and mixtures thereof.
13. The kit of Claim 12, wherein the inorganic filler is selected from the group consisting of calcium carbonate, calcium sulfate, kaolin, lignite fly ash, silica, talc, feldspar, mica, glass spheres, wollastonite, aluminum trihydrate, aluminum oxide, fiber glass, and mixtures thereof.
14. The kit of Claim 12, wherein the hydrophobic compound is selected from the group consisting of butyric acid, hexanoic acid, octanoic acid, decanoic acid, dodecanoic acid, lauric acid, myristic acid, palmitic acid, oleic acid, linoleic acid, stearic acid, linolenic acid, gum rosin, wood rosin, tall oil rosin, abietic acid, oxidized polyethylene containing carboxylic acid groups, ethylene-acrylic acid copolymers, ethylene-methacrylic acid copolymers, polyolefins grafted with unsaturated carboxylic acids,

polyolefins grafted with anhydrides, methacrylic acid, maleic acid, fumaric acid, acrylic acid, and salts thereof.

15. A method for preparing an aqueous polymeric composition suitable for preparing a spill resistant carpet backing, the method comprising:

- 5 a. mixing an inorganic filler with an aqueous dispersed polymeric material being a polyurethane dispersion; and
- b. admixing a hydrophobic compound selected from the group consisting of a hydrophobic acid, a salt of a hydrophobic acid, and mixtures thereof.

16. The method of Claim 15, wherein the inorganic filler is selected from the group
10 consisting of calcium carbonate, calcium sulfate, kaolin, lignite fly ash, silica, talc, feldspar, mica, glass spheres, wollastonite, aluminum trihydrate, aluminum oxide, fiber glass, and mixtures thereof.

17. The method of Claim 15, wherein the hydrophobic compound is selected from the group consisting of butyric acid, hexanoic acid, octanoic acid, decanoic acid,
15 dodecanoic acid, lauric acid, myristic acid, palmitic acid, oleic acid, linoleic acid, stearic acid, linolenic acid, gum rosin, wood rosin, tall oil rosin, abietic acid, oxidized polyethylene containing carboxylic acid groups, ethylene-acrylic acid copolymers, ethylene-methacrylic acid copolymers, polyolefins grafted with unsaturated carboxylic acids, polyolefins grafted with anhydrides, methacrylic acid, maleic acid, fumaric
20 acid, acrylic acid, and salts thereof.

18. A spill resistant carpet backing prepared in accordance with Claim 15.

19. The spill resistant carpet backing of Claim 18, wherein the spill resistant carpet backing is a carpet layer selected from the group consisting of a precoat, a laminate layer, and a foam layer.

- 25 20. A method for preparing an aqueous polymeric composition suitable for preparing a

spill resistant carpet backing, the method comprising:

- a. treating an inorganic filler with a hydrophobic compound selected from the group consisting of a hydrophobic acid, a salt of a hydrophobic acid, and mixtures thereof; and
 - b. mixing the treated inorganic filler with an aqueous dispersed polymeric material being a polyurethane dispersion.
21. The method of Claim 20, wherein the inorganic filler is selected from the group consisting of calcium carbonate, calcium sulfate, kaolin, lignite fly ash, silica, talc, feldspar, mica, glass spheres, wollastonite, aluminum trihydrate, aluminum oxide, fiber glass, and mixtures thereof.
22. The method of Claim 20, wherein the hydrophobic compound is selected from the group consisting of butyric acid, hexanoic acid, octanoic acid, decanoic acid, dodecanoic acid, lauric acid, myristic acid, palmitic acid, oleic acid, linoleic acid, stearic acid, linolenic acid, gum rosin, wood rosin, tall oil rosin, abietic acid, oxidized polyethylene containing carboxylic acid groups, ethylene-acrylic acid copolymers, ethylene-methacrylic acid copolymers, polyolefins grafted with unsaturated carboxylic acids, polyolefins grafted with anhydrides, methacrylic acid, maleic acid, fumaric acid, acrylic acid, and salts thereof.
23. A spill resistant carpet backing prepared in accordance with Claim 20.
24. The spill resistant carpet backing of Claim 23, wherein the spill resistant carpet backing is a carpet layer selected from the group consisting of a precoat, a laminate layer, and a foam layer.